

INCOMING TELEGRAM

Department of State

ACTION COPY

53
Action

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Control: 12832
Rec'd: MAY 20, 1959
5:04 P.M.

EUR FROM: BONN
Info TO: Secretary of State
SS NO: 2603, MAY 20, 6 P.M.

SENT DEPARTMENT 2603 BERLIN 890 REPEATED INFORMATION LONDON 688
MOSCOW 317 PARIS 900
ALSO SENT USAFE ADVON RAMSTEIN 85 FOR ACTION RPTD INFO CINCUSAFE
WIENSBADEN 452 USAREUR POLAD HEIDELBERG 579 COC KAISERSLAUTERN
UNNUMBERED.
PARIS FOR EMBASSY, USRO, CINCEUR, THURSTON, WEST
REF: USAFE COCC 90068, MAY 14; BERLINTEL 954 DEPT, 847 BONN,
MAY 13.

THREE COURSES ACTION POSSIBLE RE SOVIET STATEMENT: (1)
DENIAL VIOLATION AS SUGGESTED USAFE'S REFTEL (2) APOLOGIZE
FOR VIOLATION OR (3) TAKE NO ACTION. EMBASSY INTENDS NO ACTION
FOR FOLLOWING REASONS:

(1) DENIAL VIOLATION ON GROUNDS FLIGHT WITHIN CORRIDORS WOULD
ENCOURAGE SOVIETS TO COUNTER WITH FOLLOWING POINTS:

- (A) IF CORRIDOR FLIGHT, WHY NO FLIGHT PLAN FILED;
- (B) ALTITUDE OF 35,000 FT IN CORRIDORS UNACCEPTABLE
TO SOVIETS;
- (C) TACTICAL AIRCRAFT NOT AUTHORIZED USE CORRIDORS;
- (D) TACTICAL MANEUVERS, INCLUDING REVERSAL DIRECTION,
ARE VIOLATIONS CORRIDOR RULES.

WHILE WE COULD NOT ACCEPT SOVIET POSITION ALL POINTS, EMBASSY
CONSIDERS IT UNDESIRABLE GIVE SOVIETS OPPORTUNITY ARGUE THEM
AT THIS TIME

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AT THIS TIME ON BASIS THIS INCIDENT.

(2) EMBASSY APPRECIATES USAFE, FOR PURPOSE APPLICATION
60-1 REGULATIONS, MAY NOT WISH CONSIDER THESE FLIGHTS BORDER
VIOLATIONS. HOWEVER, APPLICABILITY AND INTERPRETATION OF
USAFE REGULATIONS IS INTERNAL USAFE ADMINISTRATIVE MATTER AND
NEED NOT GOVERN OUR POSITION VIS-A-VIS SOVIETS! IF CIRCUMSTANCES
SHOULD CALL FOR APOLOGY.

(3) SOVIET ELEMENT DID NOT "PROTEST" BUT MADE "ORAL STATEMENT",
PERHAPS BECAUSE OF LACK DETAILS ("UNIDENTIFIED JET" WHEN
ACTUALLY TWO INVOLVED) THEREFORE NO NECESSITY APOLOGIZE
OR EVEN REPLY.

SHOULD SOVIET ELEMENT PRESS FOR REPLY OR REGISTER PROTEST,
EMBASSY WOULD RECOMMEND SIMPLE STATEMENT OF REGRET RATHER THAN
DENIAL.

TIMBERLAKE

PJD-22

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